

ORDINANCE NO. 1615

AN ORDINANCE RELATING TO THE VACATION OF A PORTION OF THE
GLORIA DRIVE RIGHT-OF-WAY WITHIN THE CITY OF WEST LINN, OREGON,
AND RETAINING A PUBLIC UTILITY EASEMENT.

WHEREAS, JT Smith Companies submitted a petition to vacate a portion of the Gloria Drive right-of-way on July 2, 2013; and

WHEREAS, the City published notice of the proposed street vacation in the West Linn Tidings on August 22, 29, and September 3, 2013, and City staff posted a copy of the notice with all required information at two conspicuous places near each end of the proposed vacation area; and,

WHEREAS, the City Council held a public hearing on the proposed vacation on September 9, 2013; and,

WHEREAS, the applicants obtained the consent of 100 percent of abutting property owners and the consent of two-thirds of the property owners of the affected area as required by ORS 271.080; and,

WHEREAS, the public interest will not be prejudiced by the vacation because the portion of Gloria Drive being vacated is not developed, and the City does not plan to develop it; and,

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Vacation. The portion of Gloria Drive in the City of West Linn, Clackamas County, Oregon, adjacent to 4997 Summit Street, as more particularly described in Exhibit A (property description) and Exhibit B (map), is vacated.

SECTION 2. Public Utility Easement. A public utility easement, shown in Exhibit B and incorporated by this reference, shall be retained over the property for utility access.


SECTION 3. Vacation Effective Date. This ordinance shall take effect on the 30th day after its passage. The vacation shall be effective when a certified copy of this Ordinance is recorded with the Clackamas County Clerk, county assessor and county surveyor pursuant to ORS 271.150.

SECTION 4. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

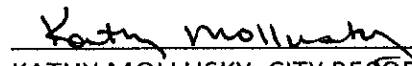
Certified to be a true copy of the original document
on file at the City of West Linn City Hall

By: Kathleen Mollusky
City Recorder, City of West Linn

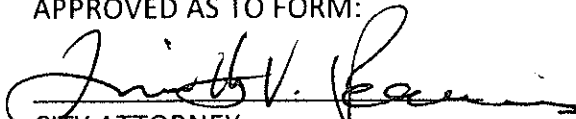



JOHN KOVASH, MAYOR

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 2(C) of the City Charter on the 9th day of September, 2013, and duly PASSED and ADOPTED this 9th day of September, 2013.


KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY

COMPASS ENGINEERING**LEGAL DESCRIPTION OF PROPOSED STREET VACATION AREA OF GLORIA DRIVE**

A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO THE CITY OF WEST LINN BY DEED RECORDED IN BOOK 603, PAGE 736, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF SAID CITY OF WEST LINN TRACT SOUTH $89^{\circ}37'20''$ WEST 173.87 FEET TO THE EAST LINE OF THAT SECOND TRACT OF LAND CONVEYED TO THE CITY OF WEST LINN BY DEED RECORDED AS DOCUMENT NUMBER 78-7275, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF SAID SECOND TRACT 33.69 FEET ALONG THE ARC OF A 35.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF $55^{\circ}09'00''$ (LONG CHORD BEARS NORTH $62^{\circ}48'10''$ WEST 32.40 FEET) TO THE NORTH LINE OF THE FIRST DESCRIBED TRACT OF LAND CONVEYED TO THE CITY OF WEST LINN BY DEED RECORDED IN BOOK 603, PAGE 736, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID NORTH LINE NORTH $89^{\circ}37'20''$ EAST 202.56 FEET TO THE NORTHEAST CORNER OF SAID FIRST DESCRIBED TRACT; THENCE ALONG THE EAST LINE OF SAID FIRST DESCRIBED TRACT SOUTH $00^{\circ}29'48''$ EAST 15.00 FEET TO THE POINT OF BEGINNING.

BEARINGS IN THIS DESCRIPTION ARE BASED UPON THE SOUTH LINE OF ROSEMONT ROAD, AS ESTABLISHED BY AND SHOWN ON PARTITION PLAT NO. 1998-89, HAVING A BEARING OF NORTH $80^{\circ}22'33''$ WEST. THIS STATEMENT IS AN OFFICIAL PART OF THIS DESCRIPTION.



DATE OF SIGNATURE: 8/27/13

EXPIRES 12/31/2013

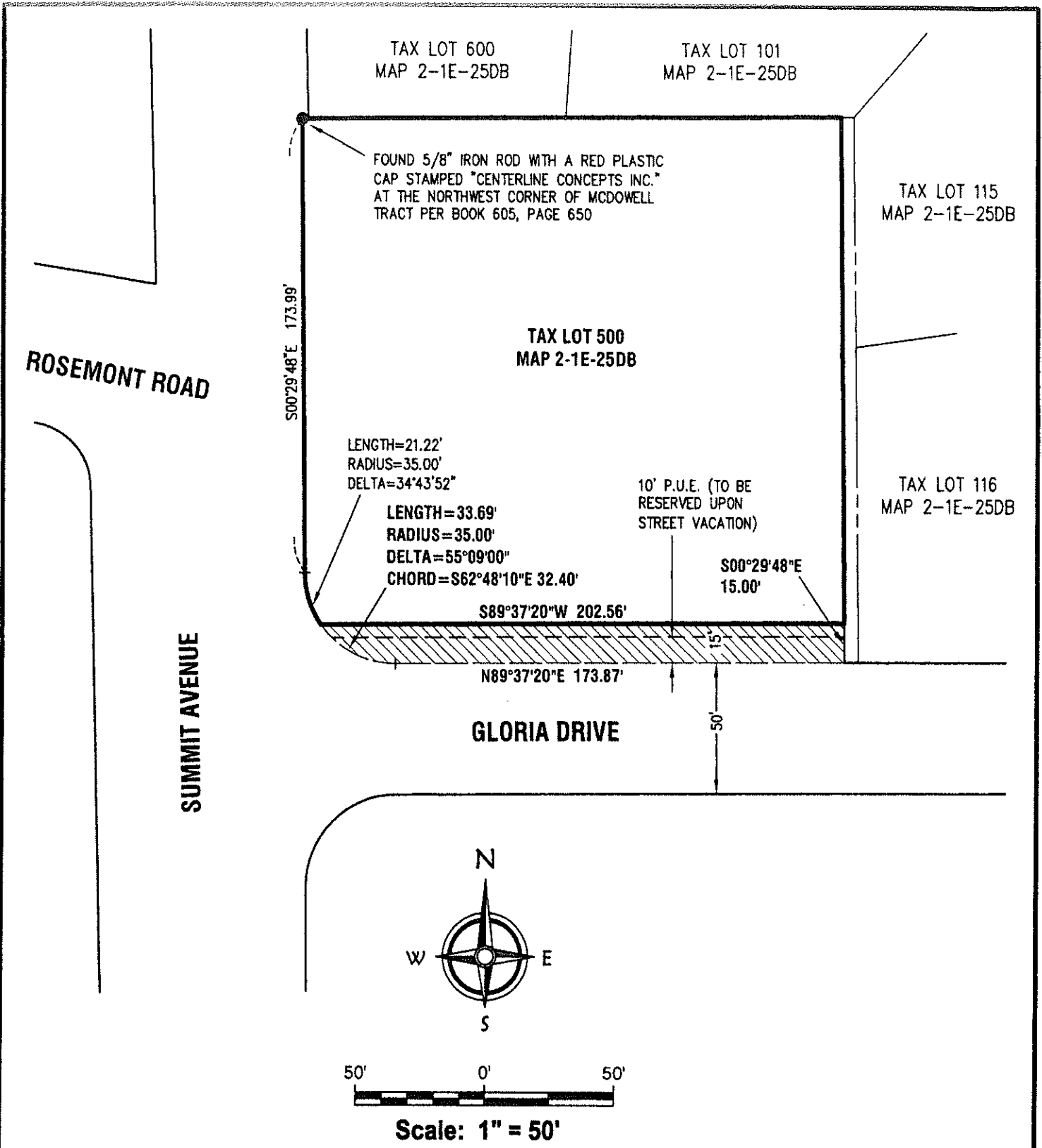


EXHIBIT "B"

PROPOSED STREET VACATION AREA

7194 Exh.dwg

engineering surveying planning
COMPASS ENGINEERING
 4107 SE International Way, Suite 705
 503.653.9093

LOCATED IN THE SE 1/4 SECTION 25,
 T.2S., R.1E., W.M., CITY OF WEST LINN,
 CLACKAMAS COUNTY, OREGON